

97-CV-2362-SJ-P

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DEC 1 1998

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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DAVID ROSEN,

Plaintiff,

-against-

ANDREW DAVIS and **ON YOUR MARK, INC.,**
Defendants.

**STIPULATION OF
DISCONTINUANCE WITH
PREJUDICE**

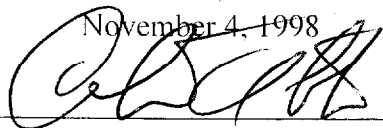
97 Civ. 2362 (SJ)


TIME A.M.
P.M.

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IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for plaintiff **DAVID ROSEN**, and defendants **ANDREW DAVIS** and **ON YOUR MARK, INC.**, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above-entitled action be, and the same hereby is discontinued, with prejudice, and without costs to either party as against the others. **AND AN ORDER TO THAT EFFECT MAY BE ENTERED WITHOUT FURTHER NOTICE.**

IT IS FURTHER STIPULATED AND AGREED that this Stipulation may be executed and filed in counterpart with the Clerk of the Eastern District without further notice.


Dated: New York, New York
November 4, 1998


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SO ORDERED

A. Simon Chrein,
United States Magistrate Judge


Hon. Sterling Johnson, Jr.
U.S.D.J.

December 7, 1998

(12)